

UNITED STATES BANKRUPTCY COURT  
For The Western District of Michigan

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in the matter of:

BRIAN T. GUSWILER  
664 Hidden Ridge Dr., PO Box 147  
Traverse City MI 49685  
Debtor

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Case Number: GT 05-19374  
Chapter Seven (7)  
Honorable James D. Gregg  
James W. Boyd, Trustee

Notice to Creditors and Other Parties in Interest of Hearing

YOU ARE HEREBY NOTIFIED THAT A HEARING will be held at the United States Bankruptcy Court, 3249 Racquet Club Drive, Logan Place West, (Off South Airport Road), **Traverse City, Michigan on Friday, August 25, 2006 at 10:00 a.m.** to consider & act upon the following matter:

**Trustee's Motion to Sell Boat**  
a copy of motion is enclosed

*If you want the court to consider your views on this matter, attend the hearing on the date stated above.*

*Your rights may be affected. You should read the documents carefully and discuss them with your attorney. (If you do not have an attorney, you may wish to consult one.)*

*You or your attorney may wish to file a response to the motion explaining your position. Any response shall be filed with the clerk of the U.S. Bankruptcy Court, One Division Avenue, N.W., Room 200, Grand Rapids MI 49503, and should be received by the clerk at least 3 (three) days before the hearing date. A copy of your response should also be mailed upon the party filing the motion and his/her attorney.*

*If you or your attorney do not take these steps, the court may decide to grant the relief sought in the motion or petition, and may enter an order granting the relief requested.*



Daniel M. LaVille, Clerk of Court

David G. Scalici, Deputy Clerk  
Dated: 7-19-06

**NOTICE IS HEREBY GIVEN THAT THE COURT MAY, in its discretion, orally continue or adjourn the above hearing on the record in open court. If this occurs, parties in interest will not be given further written notice of the continued or adjourned hearing. If an entity is not present at the originally scheduled hearing, information regarding the time, date and place of an orally continued or adjourned hearing may be obtained at the clerk's office from the court files or docket.**

A copy of this notice and motion forwarded to noticing center for service on matrix.

**UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN**

In re:

BRIAN T. GUSWILER,

Debtor.

Case No. GT05-19374

Chapter 7

**TRUSTEE'S MOTION TO SELL BOAT**

James W. Boyd, the duly appointed Chapter 7 Trustee in this matter, states as follows:

1. This matter was filed pursuant to Chapter 7 of the Bankruptcy Code on December 8, 2005.
2. Property of the bankruptcy estate includes a 1997 Aztec Coyote 20' ski boat and trailer which the Trustee intends to sell.
3. The sale will be conducted by a Court-approved auctioneer at public auction. For further information regarding the auction and the property to be sold, interested parties may contact Century Asset Management, PO Box 61, Maple City, Michigan, 49664, at (231) 228-6667.
4. Upon completion of the sale, the fees and costs of the auctioneer shall be paid. The remaining proceeds shall be paid to the Trustee.
5. The Trustee's auctioneer estimates the value of the boat and trailer at \$4,000 to \$6,000. The Trustee believes that the sale will provide a dividend to creditors and is in the best interests of the estate.
6. The property shall be sold "AS IS, WHERE IS," without representation or warranty, expressed or implied, of any kind, nature or description, including, without limitation, any warranty of title or of merchantability, useability, or of fitness for any particular purpose.
7. This sale shall be conducted pursuant to Section 363 of the Bankruptcy Code, and the property shall be sold free and clear of all interests, liens and encumbrances. To the extent that any such interests, liens or encumbrances exist, the same shall attach to the proceeds of the sale in their present order, rank, and priority. To the best of the Trustee's knowledge, information and belief, no such interests, liens, and encumbrances against the boat exist.
8. The Trustee seeks an order approving the sale and directing the Michigan Secretary of State to issue a new Certificate of Title to effectuate the transfer of the title to the 1997 Aztec Coyote 20' ski boat to the purchaser.

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The Trustee requests of this Court as follows:

- a. To approve the *Trustee's Motion to Sell Boat*;
- b. To provide such other relief as is just and equitable.

Dated: July 11, 2006

/s/ James W. Boyd

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James W. Boyd (P32977)  
Zimmerman, Kuhn, Darling, Boyd, Quandt & Phelps, P.L.C.  
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